

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

TERRI PECHNER-JAMES and SONIA  
FERNANDEZ,  
Plaintiffs,

v.

CITY OF REVERE, THOMAS AMBROSINO,  
MAYOR, CITY OF REVERE POLICE  
DEPARTMENT, TERRENCE REARDON,  
CHIEF OF POLICE, BERNARD FOSTER,  
SALVATORE SANTORO, ROY COLANNINO,  
FREDERICK ROLAND, THOMAS DOHERTY,  
JOHN NELSON, JAMES RUSSO, MICHAEL  
MURPHY and STEVEN FORD,  
Defendants,

C.A. No. 03-12499-MLW

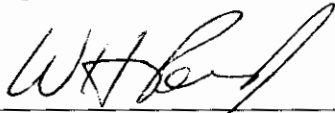
**AFFIDAVIT OF WALTER H. PORR, JR., IN SUPPORT OF DEFENDANTS'  
OPPOSITION AND MOTION TO STRIKE PLAINTIFF'S OPPOSITION AND  
AFFIRMATIVE REQUEST FOR RULE 11 SANCTIONS AGAINST  
DEFENDANTS, THOMAS AMBROSINO, MAYOR AND  
TERRENCE REARDON, CHIEF OF POLICE, CITY OF REVERE**

I, Walter H. Porr, Jr., do hereby depose and state:

1. I am an Assistant City Attorney for the City of Revere and have been so employed since December 13, 2004. I am an attorney of record for Defendants, City of Revere, City of Revere Police Department, Mayor Thomas Ambrosino and Chief of Police Terence Reardon in this action.
2. On August 16, 2005, I received a courtesy copy of a letter from Plaintiff's Counsel to the Clerk of the Court with respect to the filing of Plaintiff's Opposition and Affirmative Request for Rule 11 Sanctions against the Defendants whom I represent. A true and accurate copy of said letter is attached hereto as Exhibit "A". On June 21, 2005, I responded to this letter with a letter of my own. Accompanying said letter was the pleading in question.
3. At no time prior to the receipt of this letter and the accompanying pleading did Plaintiff's Counsel ever contact me regarding the issues presented by said pleading. More specifically, Plaintiffs' Counsel did not contact me for the purpose of complying with Federal Rule of Civil Procedure, Rule 11's safe harbor provision. Nor did Plaintiffs' Counsel contact me to comply with Local Rule 7.1(a)(2)'s meet and confer obligation.

Signed under the pains and penalties of perjury this 17<sup>th</sup> day of August, 2005.

Respectfully submitted,


  
\_\_\_\_\_  
Walter H. Porr, Jr.

### **CERTIFICATE OF SERVICE**

I, Walter H. Porr, Jr., Assistant City Solicitor and counsel of record for the Defendants, City of Revere, City of Revere Police Department, Mayor Thomas Ambrosino and Police Chief Terence Reardon, hereby certify that I have, this day forwarded a copy of the foregoing Affidavit of Walter H. Porr, Jr., in Support of Defendants' Opposition to Plaintiff's Opposition and Affirmative Request for Rule 11 Sanctions, etc., to all parties herein by mailing same, this date, via first class mail, postage prepaid to:

James S. Dilday, Esq.  
27 School Street, Suite 400  
Boston, MA 02108  
Attorney for the Plaintiffs

Michael J. Akerson, Esq.  
Reardon, Joyce and Akerson, P.C.  
397 Grove Street  
Worcester, MA 01605  
Attorneys for Defendants  
Bernard Foster, Salvatore Santoro,  
Roy Colannino, Frederick Roland,  
Thomas Doherty, John Nelson,  
James Russo, Michael Murphy,  
and Steven Ford

  
\_\_\_\_\_  
Walter H. Porr, Jr.

Dated: August 17<sup>th</sup>, 2005

**Grayer & Dilday, LLP**

COUNSELLORS-AT-LAW  
27 SCHOOL STREET - SUITE 400  
BOSTON, MASSACHUSETTS 02108  
TEL. (617) 227-3470 • FAX (617) 227-9231

August 15, 2005

Clerk  
U.S. District Court  
One Courthouse Way  
Boston, MA 02210

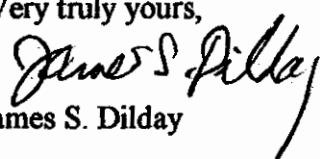
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CITY OF REVERE  
05 AUG 16 AM 10:17  
SOLICITOR

**Re: Terri Pechner-James**  
**Vs. City of Revere, et al**  
**Civil Action No. 03-12499**

Dear Sir/Madam:

Enclosed for filing please Plaintiff's Opposition and Affirmative Request for Rule 11 Sanctions Against Defendants, Thomas Ambrosino, Mayor and Terrence Reardon, Chief of Police, City of Revere and Certificate of Service.

Very truly yours,

  
James S. Dilday

JSD:jab

Enclosure

cc: Walter H. Porr, Esquire  
Paul Capizzi, Esquire  
Michael Akerson, Esquire  
John K. Vigliotti, Esquire

EXHIBIT "A"